

**FEDERALLY ENFORCEABLE STATE
OPERATING PERMIT (FESOP)
and NEW SOURCE REVIEW**
OFFICE OF AIR MANAGEMENT

**TransMontaigne Pipeline, Inc.
SE 1/4, Section 12, Township 35N, Range 15E
Dyer, Indiana**

(herein known as the Permittee) is hereby authorized to operate subject to the conditions contained herein, the source described in Section A (Source Summary) of this permit.

This permit is issued in accordance with 326 IAC 2 and 40 CFR Part 70 Appendix A and contains the conditions and provisions specified in 326 IAC 2-8 as required by 42 U.S.C. 7401, et. seq. (Clean Air Act as amended by the 1990 Clean Air Act Amendments), 40 CFR Part 70.6, IC 13-15 and IC 13-17.

Operation Permit No.: NSR/FESOP 089-12853-00001

Issued by:
Paul Dubenetzky, Branch Chief
Office of Air Management

Issuance Date:

Expiration Date:

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SECTION A SOURCE SUMMARY

This permit is based on information requested by the Indiana Department of Environmental Management (IDEM), Office of Air Management (OAM). The information describing the source contained in conditions A.1 through A.3 is descriptive information and does not constitute enforceable conditions. However, the Permittee should be aware that a physical change or a change in the method of operation that may render this descriptive information obsolete or inaccurate may trigger requirements for the Permittee to obtain additional permits or seek modification of this permit pursuant to 326 IAC 2, or change other applicable requirements presented in the permit application.

A.1 General Information [326 IAC 2-8-3(b)]

The Permittee owns and operates a stationary groundwater remediation and product recovery system, which has a recovery flow rate of 20 gallons per minute (gpm), and a maximum air flow rate of 1200 actual cubic feet per minute (acfm).

Authorized individual:	William W. Grygar II
Source Address:	SE 1/4, Section 12, Township 35N, Range 15E, Dyer, Indiana
Mailing Address:	2 North College Avenue, Fayetteville, Arkansas 72702
Source Location Status:	Lake County
County Status:	Ozone - Severe nonattainment SO ₂ - An area bounded on the north by Lake Michigan, on the west by the Indiana-Illinois State line, on the south by U.S. 30 from the State line to the intersection of I-65 then following I-65 to the intersection of I-94 then following I-94 to the Lake-Porter County line, & on the east by the Lake-Porter County line is nonattainment and the remainder of Lake County is attainment.
	CO - Attainment

Source Status:	Federally Enforceable State Operating Permit (FESOP) Minor Source, under PSD or Emission Offset Rules; Minor Source, Section 112 of the Clean Air Act
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A.2 Emission Units and Pollution Control Equipment Summary [326 IAC 2-8-3(c)(3)]

This stationary groundwater remediation and product recovery system consists of the following emission units and pollution control devices:

- (a) Air/fluid separator, where vapors separated off influent fluid stream is controlled by a catalytic oxidizer (CATOX), stack ID CAT.
- (b) Air stripper, where the groundwater exiting the oil/water separator is pumped for Volatile Organic Compounds (VOC) removal, with a water flow rate of 25 gallons per minute. (gpm). The VOC emitted from this process is not ducted through the catalytic oxidizer.

A.3 Insignificant Activities [326 IAC 2-7-1(21)] [326 IAC 2-8-3(c)(3)(I)]

This stationary source also includes the following insignificant activities, as defined in 326 IAC 2-7-1(21):

- (a) One (1) aboveground storage tank (PST), which has a capacity of 5182 gallons. This is where the product recovered is stored for transport to TransMontaigne Pipeline for reuse.
- (b) Oil/water separator (OWS), which has a capacity of 574 gallons. This process involves further separation of the recovered fluid (water and product).
- (c) Equalization tank (EQT), which has a capacity of 147 gallons. Tank control surge from the oil/water separator to the air stripper.
- (d) CATOX natural gas fired burner, with a capacity of 0.75 million British Thermal Units per hour (mmBtu/hr). This burner is used to heat up the catalyst in the catalytic oxidizer.

A.4 FESOP Applicability [326 IAC 2-8-2]

This stationary source, otherwise required to have a Part 70 permit as described in 326 IAC 2-7-2(a), has applied to the Indiana Department of Environmental Management (IDEM), Office of Air Management (OAM) for a Federally Enforceable State Operating Permit (FESOP).

SECTION B GENERAL CONDITIONS

B.1 Permit No Defense [IC 13]

Indiana statutes from IC 13 and rules from 326 IAC, quoted in conditions in this permit, are those applicable at the time the permit was issued. The issuance or possession of this permit shall not alone constitute a defense against an alleged violation of any law, regulation or standard, except for the requirement to obtain a FESOP under 326 IAC 2-8.

B.2 Definitions [326 IAC 2-8-1]

Terms in this permit shall have the definition assigned to such terms in the referenced regulation. In the absence of definitions in the referenced regulation, the applicable definitions found in the statutes or regulations (IC 13-11, 326 IAC 1-2, and 326 IAC 2-7) shall prevail.

B.3 Permit Term [326 IAC 2-8-4(2)]

This permit is issued for a fixed term of five (5) years from the original date, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date.

B.4 Enforceability [326 IAC 2-8-6]

Unless otherwise stated, all terms and conditions in this permit, including any provisions designed to limit the source's potential to emit, are enforceable by IDEM, the United States Environmental Protection Agency (U.S. EPA) and by citizens in accordance with the Clean Air Act.

B.5 Termination of Right to Operate [326 IAC 2-8-9] [326 IAC 2-8-3(h)]

The Permittee's right to operate this source terminates with the expiration of this permit unless a timely and complete renewal application is submitted at least nine (9) months prior to the date of expiration of the source's existing permit, consistent with 326 IAC 2-8-3(h) and 326 IAC 2-8-9.

B.6 Severability [326 IAC 2-8-4(4)]

The provisions of this permit are severable; a determination that any portion of this permit is invalid shall not affect the validity of the remainder of the permit.

B.7 Property Rights or Exclusive Privilege [326 IAC 2-8-4(5)(D)]

This permit does not convey any property rights of any sort, or any exclusive privilege.

B.8 Duty to Supplement and Provide Information [326 IAC 2-8-3(f)] [326 IAC 2-8-4(5)(E)] [326 IAC 2-8-5(a)(4)]

- (a) The Permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to:

Indiana Department of Environmental Management
Permits Branch, Office of Air Management
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

The submittal by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (b) The Permittee shall furnish to IDEM, OAM, within a reasonable time, any information that IDEM, OAM, may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The submittal by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1). Upon request, the Permittee

shall also furnish to IDEM, OAM, copies of records required to be kept by this permit or, for information claimed to be confidential, the Permittee may furnish such records directly to the U. S. EPA along with a claim of confidentiality. [326 IAC 2-8-4(5)(E)]

- (c) The Permittee may include a claim of confidentiality in accordance with 326 IAC 17. When furnishing copies of requested records directly to U. S. EPA, the Permittee may assert a claim of confidentiality in accordance with 40 CFR 2, Subpart B.

B.9 Compliance Order Issuance [326 IAC 2-8-5(b)]

IDEM, OAM may issue a compliance order to this Permittee upon discovery that this permit is in nonconformance with an applicable requirement. The order may require immediate compliance or contain a schedule for expeditious compliance with the applicable requirement.

B.10 Compliance with Permit Conditions [326 IAC 2-8-4(5)(A)] [326 IAC 2-8-4(5)(B)]

- (a) The Permittee must comply with all conditions of this permit. Noncompliance with any provisions of this permit, except those specifically designated as not federally enforceable, is grounds for:
 - (1) Enforcement action;
 - (2) Permit termination, revocation and reissuance, or modification; and
 - (3) Denial of a permit renewal application.
- (b) It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
- (c) An emergency does constitute an affirmative defense in an enforcement action provided the Permittee complies with the applicable requirements set forth in condition B, Emergency Provisions.

B.11 Certification [326 IAC 2-8-3(d)] [326 IAC 2-8-4(3)(C)(i)] [326 IAC 2-8-5(1)]

- (a) Where specifically designated by this permit or required by an applicable requirement, any application form, report, or compliance certification submitted shall contain certification by a authorized individual of truth, accuracy, and completeness. This certification, shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- (b) One (1) certification shall be included, using the attached Certification Form, with each submittal requiring certification.
- (c) An authorized individual is defined at 326 IAC 2-1.1-1(1).

B.12 Annual Compliance Certification [326 IAC 2-8-5(a)(1)]

- (a) The Permittee shall annually submit a compliance certification report which addresses the status of the source's compliance with the terms and conditions contained in this permit, including emission limitations, standards, or work practices. The initial certification shall cover the time period from the date of final permit issuance through December 31 of the same year. All subsequent certifications shall cover the time period from January 1 to December 31 of the previous year, and shall be submitted in letter form no later than April 15 of each year to:

Indiana Department of Environmental Management

Compliance Data Section, Office of Air Management
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

and

United States Environmental Protection Agency, Region V
Air and Radiation Division, Air Enforcement Branch - Indiana (AE-17J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

- (b) The annual compliance certification report required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAM, on or before the date it is due.
- (c) The annual compliance certification report shall include the following:
 - (1) The appropriate identification of each term or condition of this permit that is the basis of the certification;
 - (2) The compliance status;
 - (3) Whether compliance was continuous or intermittent;
 - (4) The methods used for determining the compliance status of the source, currently and over the reporting period consistent with 326 IAC 2-8-4(3); and
 - (5) Such other facts as specified in Sections D of this permit, IDEM, OAM, may require to determine the compliance status of the source.

The notification which shall be submitted by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

B.13 Preventive Maintenance Plan [326 IAC 1-6-3] [326 IAC 2-8-4(9)] [326 IAC 2-8-5(a)(1)]

- (a) If required by specific condition(s) in Section D of this permit, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMPs) within ninety (90) days after issuance of this permit, including the following information on each facility:
 - (1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;
 - (2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and
 - (3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.

If due to circumstances beyond the Permittee's control, the PMPs cannot be prepared and maintained within the above time frame, the Permittee may extend the date an additional ninety (90) days provided the Permittee notifies:

Indiana Department of Environmental Management
Compliance Branch, Office of Air Management
100 North Senate Avenue, P. O. Box 6015

Indianapolis, Indiana 46206-6015

The PMP and the PMP extension notification do not require the certification by the “authorized individual” as defined by 326 IAC 2-1.1-1(1).

- (b) The Permittee shall implement the PMPs as necessary to ensure that failure to implement a PMP does not cause or contribute to a violation of any limitation on emissions or potential to emit.
- (c) A copy of the PMPs shall be submitted to IDEM, OAM, upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAM. IDEM, OAM, may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or contributes to any violation. The PMP does not require the certification by the “authorized individual” as defined by 326 IAC 2-1.1-1(1).
- (d) Records of preventive maintenance shall be retained for a period of at least five (5) years. These records shall be kept at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.

B.14 Emergency Provisions [326 IAC 2-8-12]

- (a) An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation, except as provided in 326 IAC 2-7-16.
- (b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a health-based or technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describe the following:
 - (1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;
 - (2) The permitted facility was at the time being properly operated;
 - (3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;
 - (4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAM, and Northwest Regional Office within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

Telephone Number: 1-800-451-6027 (ask for Office of Air Management,
Compliance Section), or
Telephone Number: 317-233-5674 (ask for Compliance Section)
Facsimile Number: 317-233-5967

Telephone Number: 1-888-209-8892 (Northwest Regional Office)
Facsimile Number: 812-881-6745

Failure to notify IDEM, OAM and the Northwest Regional Office by telephone or facsimile within four (4) daytime business hours after the beginning of the emergency, or after the emergency is discovered or reasonably should have been discovered, shall constitute a violation of 326 IAC 2-8 and any other applicable rules. [326 IAC 2-8-12(f)]

- (5) For each emergency lasting one (1) hour or more, the Permittee submitted the attached Emergency Occurrence Report Form or its equivalent, either by mail or facsimile to:

Indiana Department of Environmental Management
Compliance Branch, Office of Air Management
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015

within two (2) working days of the time when emission limitations were exceeded due to the emergency.

The notice fulfills the requirement of 326 IAC 2-7-5(3)(C)(ii) and must contain the following:

- (A) A description of the emergency;
- (B) Any steps taken to mitigate the emissions; and
- (C) Corrective actions taken.

The notification which shall be submitted by the Permittee does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (6) The Permittee immediately took all reasonable steps to correct the emergency.
- (c) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.
- (d) This emergency provision supersedes 326 IAC 1-6 (Malfunctions). This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.
- (e) IDEM, OAM, may require that the Preventive Maintenance Plans required under 326 IAC 2-8-3-(c)(6) be revised in response to an emergency.
- (f) Failure to notify IDEM, OAM, by telephone or facsimile of an emergency lasting more than one (1) hour in accordance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-8 and any other applicable rules. 326 IAC 2-8-12 (f)
- (g) Operations may continue during an emergency only if the following conditions are met:
- (1) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.
 - (2) If an emergency situation causes a deviation from a health-based limit, the Permittee may not continue to operate the affected emissions facilities unless:

- (A) The Permittee immediately takes all reasonable steps to correct the emergency situation and to minimize emissions; and
- (B) Continued operation of the facilities is necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw materials of substantial economic value.

Any operation shall continue no longer than the minimum time required to prevent the situations identified in (g)(2)(B) of this condition.

B.15 Deviations from Permit Requirements and Conditions [326 IAC 2-8-4(3)(C)(ii)]

- (a) Deviations from any permit requirements (for emergencies see Section B - Emergency Provisions), the probable cause of such deviations, and any response steps or preventive measures taken shall be reported to:

Indiana Department of Environmental Management
Compliance Data Section, Office of Air Management
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

using the attached Quarterly Deviation and Compliance Monitoring Report, or its equivalent. Deviations that are required to be reported by an applicable requirement shall be reported according to the schedule stated in the applicable requirement and do not need to be included in this report.

The notification by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (b) A deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit or a rule. It does not include:
 - (1) An excursion from compliance monitoring parameters as identified in Section D of this permit unless tied to an applicable rule or limit; or
 - (2) Failure to implement elements of the Preventive Maintenance Plan unless such failure has caused or contributed to a deviation.

A Permittee's failure to take the appropriate response step when an excursion of a compliance monitoring parameter has occurred is a deviation.

- (c) Emergencies shall be included in the Quarterly Deviation and Compliance Monitoring Report.

B.16 Permit Modification, Reopening, Revocation and Reissuance, or Termination

[326 IAC 2-8-4(5)(C)] [326 IAC 2-8-7(a)] [326 IAC 2-8-8]

- (a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a FESOP modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any condition of this permit. [326 IAC 2-8-4(5)(C)] The notification by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAM determines any of the following:

- (1) That this permit contains a material mistake.
- (2) That inaccurate statements were made in establishing the emissions standards or other terms or conditions.
- (3) That this permit must be revised or revoked to assure compliance with an applicable requirement. [326 IAC 2-8-8(a)]
- (c) Proceedings by IDEM, OAM, to reopen and revise this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practicable. [326 IAC 2-8-8(b)]
- (d) The reopening and revision of this permit, under 326 IAC 2-8-8(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAM, at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAM, may provide a shorter time period in the case of an emergency. [326 IAC 2-8-8(c)]

B.17 Permit Renewal [326 IAC 2-8-3(h)]

- (a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAM and shall include the information specified in 326 IAC 2-8-3. Such information shall be included in the application for each emission unit at this source, except those emission units included on the trivial or insignificant activities list contained in 326 IAC 2-7-1(21) and 326 IAC 2-7-1(40). The renewal application does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

Request for renewal shall be submitted to:

Indiana Department of Environmental Management
Permits Branch, Office of Air Management
100 North Senate Avenue, P.O. Box 6015
Indianapolis, IN 46206-6015

- (b) Timely Submittal of Permit Renewal [326 IAC 2-8-3]
 - (1) A timely renewal application is one that is:
 - (A) Submitted at least nine (9) months prior to the date of the expiration of this permit; and
 - (B) If the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAM, on or before the date it is due.
 - (2) If IDEM, OAM, upon receiving a timely and complete permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect until the renewal permit has been issued or denied.
- (c) Right to Operate After Application for Renewal [326 IAC 2-8-9]

If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-8 until IDEM, OAM, takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by the

deadline specified in writing by IDEM, OAM, any additional information identified as needed to process the application.

B.18 Permit Amendment or Revision [326 IAC 2-8-10] [326 IAC 2-8-11.1]

- (a) Permit amendments and revisions are governed by the requirements of 326 IAC 2-8-10 or 326 IAC 2-8-11.1 whenever the Permittee seeks to amend or modify this permit.

- (b) Any application requesting an amendment or modification of this permit shall be submitted to:

Indiana Department of Environmental Management
Permits Branch, Office of Air Management
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

Any such application should be certified by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (c) The Permittee may implement the administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-8-10(b)(3)]

B.19 Operational Flexibility [326 IAC 2-8-15]

- (a) The Permittee may make any change or changes at this source that are described in 326 IAC 2-8-15(b) through (d), without prior permit revision, if each of the following conditions is met:

- (1) The changes are not modifications under any provision of Title I of the Clean Air Act;
- (2) Any approval required by 326 IAC 2-8-11.1 has been obtained;
- (3) The changes do not result in emissions which exceed the emissions allowable under this permit (whether expressed herein as a rate of emissions or in terms of total emissions);
- (4) The Permittee notifies the:

Indiana Department of Environmental Management
Permits Branch, Office of Air Management
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

and

United States Environmental Protection Agency, Region V
Air and Radiation Division, Regulation Development Branch - Indiana (AR-18J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

in advance of the change by written notification at least ten (10) days in advance of the proposed change. The Permittee shall attach every such notice to the Permittee's copy of this permit; and

- (5) The Permittee maintains records on-site which document, on a rolling five (5) year basis, all such changes and emissions trading that are subject to 326 IAC 2-

8-15(b) through (d) and makes such records available, upon reasonable request, to public review.

Such records shall consist of all information required to be submitted to IDEM, OAM, in the notices specified in 326 IAC 2-8-15(b), (c)(1), and (d).

- (b) The Permittee may make Section 502(b)(10) of the Clean Air Act changes (this term is defined at 326 IAC 2-7-1(36)) without a permit revision, subject to the constraint of 326 IAC 2-8-15(a) and the following additional conditions:

- (1) A brief description of the change within the source;
- (2) The date on which the change will occur;
- (3) Any change in emissions; and
- (4) Any permit term or condition that is no longer applicable as a result of the change.

The notification which shall be submitted by the Permittee does not require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1.

- (c) Emission Trades [326 IAC 2-8-15(c)]
The Permittee may trade increases and decreases in emissions in the source, where the applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints of Section (a) of this condition and those in 326 IAC 2-8-15(c).
- (d) Alternative Operating Scenarios [326 IAC 2-8-15(d)]
The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-8-4(7). No prior notification of IDEM, OAM or U.S. EPA is required.

B.20 Permit Revision Requirement [326 IAC 2-8-11.1]

A modification, construction, or reconstruction is governed by 326 IAC 2 and 326 IAC 2-8-11.1.

B.21 Inspection and Entry [326 IAC 2-8-5(a)(2)] [IC 13-14-2-2]

Upon presentation of proper identification cards, credentials, and other documents as may be required by law, and subject to the Permittee's right under all applicable laws and regulations to assert that the information collected by the agency is confidential and entitled to be treated as such, the Permittee shall allow IDEM, OAM, U.S. EPA, or an authorized representative to perform the following:

- (a) Enter upon the Permittee's premises where a FESOP source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- (c) Inspect, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;
- (d) Sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and

- (e) Utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.

B.22 Transfer of Ownership or Operational Control [326 IAC 2-8-10]

- (a) The Permittee must comply with the requirements of 326 IAC 2-8-10 whenever the Permittee seeks to change the ownership or operational control of the source and no other change in the permit is necessary.
- (b) Any application requesting a change in the ownership or operational control of the source shall contain a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new Permittee. The application shall be submitted to:

Indiana Department of Environmental Management
Permits Branch, Office of Air Management
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

The application which shall be submitted by the Permittee does not require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-8-11(b)(3)]

B.23 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-8-4(6)] [326 IAC 2-8-16]

- (a) The Permittee shall pay annual fees to IDEM, OAM, within thirty (30) calendar days of receipt of a billing. Pursuant to 326 IAC 2-7-19(b) If the Permittee does not receive a bill from IDEM, OAM the applicable fee is due April 1 of each year.
- (b) Failure to pay may result in administrative enforcement action, or revocation of this permit.
- (c) The Permittee may call the following telephone numbers: 1-800-451-6027 or 317-233-0425 (ask for OAM, Technical Support and Modeling Section), to determine the appropriate permit fee.

SECTION C SOURCE OPERATION CONDITIONS

Entire Source

Emissions Limitations and Standards [326 IAC 2-8-4(1)]

C.1 Overall Source Limit [326 IAC 2-8]

The purpose of this permit is to limit this source's potential to emit to less than major source levels for the purpose of Section 502(a) of the Clean Air Act.

(a) Pursuant to 326 IAC 2-8:

- (1) The potential to emit volatile organic compounds (VOCs) from the entire source shall be limited to less than twenty-five (25) tons per twelve (12) consecutive month period. This limitation shall also satisfy the requirements of 326 IAC 2-3 (Emission Offset);
- (2) The potential to emit any regulated pollutant from the entire source, except particulate matter (PM) and volatile organic compounds (VOCs), shall be limited to less than one-hundred (100) tons per twelve (12) consecutive month period;
- (3) The potential to emit any individual hazardous air pollutant (HAP) from the entire source shall be limited to less than ten (10) tons per twelve (12) consecutive month period; and
- (4) The potential to emit any combination of HAPs from the entire source shall be limited to less than twenty-five (25) tons per twelve (12) consecutive month period.

(b) Pursuant to 326 IAC 2-3 (Emission Offset), emissions of particulate matter (PM) from the entire source shall be limited to less than one-hundred (100) tons per twelve (12) consecutive month period.

(c) This condition shall include all emission points at this source including those that are insignificant as defined in 326 IAC 2-7-1(21). The source shall be allowed to add insignificant activities not already listed in this permit, provided the source's potential to emit does not exceed the above specified limits.

(d) Section D of this permit contains independently enforceable provisions to satisfy this requirement.

C.2 Opacity [326 IAC 5-1]

Pursuant to 326 IAC 5-1-2 (Opacity Limitations), except as provided in 326 IAC 5-1-3 (Temporary Alternative Opacity Limitations), opacity shall meet the following, unless otherwise stated in this permit:

- (a) Opacity shall not exceed an average of twenty percent (20%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.
- (b) Opacity shall not exceed sixty percent (60%) for more than a cumulative total of fifteen (15) minutes (sixty (60) readings as measured according to 40 CFR 60, Appendix A, Method 9 or fifteen (15) one (1) minute nonoverlapping integrated averages for a continuous opacity monitor) in a six (6) hour period.

C.3 Open Burning [326 IAC 4-1] [IC 13-17-9]

The Permittee shall not open burn any material except as provided in 326 IAC 4-1-3, 326 IAC 4-1-4 or 326 IAC 4-1-6. The previous sentence notwithstanding, the Permittee may open burn in accordance with an open burning approval issued by the Commissioner under 326 IAC 4-1-4.1. 326 IAC 4-1-3(a)(2)(A) and (B) are not federally enforceable.

C.4 Incineration [326 IAC 4-2] [326 IAC 9-1-2(3)]

The Permittee shall not operate an incinerator or incinerate any waste or refuse except as provided in 326 IAC 4-2 and in 326 IAC 9-1-2. 326 IAC 9-1-2 is not federally enforceable.

C.5 Fugitive Dust Emissions [326 IAC 6-1-11.1]

The Permittee shall be in violation of 326 IAC 6-1-11.1 (Lake County Fugitive Particulate Matter Control Requirements), if the opacity of fugitive particulate emissions exceeds ten percent (10%).

C.6 Operation of Equipment [326 IAC 2-8-5(a)(4)]

Except as otherwise provided by statute, rule or in this permit, all air pollution control equipment listed in this permit and used to comply with an applicable requirement shall be operated at all times that the emission units vented to the control equipment is in operation.

C.7 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]

-
- (a) Notification requirements apply to each owner or operator. If the combined amount of regulated asbestos containing material (RACM) to be stripped, removed or disturbed is at least 260 linear feet on pipes or 160 square feet on other facility components, or at least thirty-five (35) cubic feet on all facility components, then the notification requirements of 326 IAC 14-10-3 are mandatory. All demolition projects require notification whether or not asbestos is present.
 - (b) The Permittee shall ensure that a written notification is sent on a form provided by the Commissioner at least ten (10) working days before asbestos stripping or removal work or before demolition begins, per 326 IAC 14-10-3, and shall update such notice as necessary, including, but not limited to the following:
 - (1) When the amount of affected asbestos containing material increases or decreases by at least twenty percent (20%); or
 - (2) If there is a change in the following:
 - (A) Asbestos removal or demolition start date;
 - (B) Removal or demolition contractor; or
 - (C) Waste disposal site.
 - (c) The Permittee shall ensure that the notice is postmarked or delivered according to the guidelines set forth in 326 IAC 14-10-3(2).
 - (d) The notice to be submitted shall include the information enumerated in 326 IAC 14-10-3(3).

All required notifications shall be submitted to:

Indiana Department of Environmental Management
Asbestos Section, Office of Air Management
100 North Senate Avenue, P.O. Box 6015

Indianapolis, Indiana 46206-6015

The notifications do not require a certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (e) **Procedures for Asbestos Emission Control**
The Permittee shall comply with the applicable emission control procedures in 326 IAC 14-10-4 and 40 CFR 61.145(c). Per 326 IAC 14-10-4 emission control requirements are applicable for any removal or disturbance of RACM greater than three (3) linear feet on pipes or three (3) square feet on any other facility components or a total of at least 0.75 cubic feet on all facility components.
- (f) **Indiana Accredited Asbestos Inspector**
The Permittee shall comply with 326 IAC 14-10-1(a) that requires the owner or operator, prior to a renovation/demolition, to use an Indiana Accredited Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos. The requirement that the inspector be accredited is federally enforceable.

Testing Requirements [326 IAC 2-8-4(3)]

C.8 Performance Testing [326 IAC 3-6]

- (a) All testing shall be performed according to the provisions of 326 IAC 3-6 (Source Sampling Procedures), except as provided elsewhere in this permit, utilizing any applicable procedures and analysis methods specified in 40 CFR 51, 40 CFR 60, 40 CFR 61, 40 CFR 63, 40 CFR 75, or other procedures approved by IDEM, OAM.

A test protocol, except as provided elsewhere in this permit, shall be submitted to:

Indiana Department of Environmental Management
Compliance Data Section, Office of Air Management
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015

no later than thirty-five (35) days prior to the intended test date. The protocol submitted by the Permittee does not require certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (b) The Permittee shall notify IDEM, OAM of the actual test date at least fourteen (14) days prior to the actual test date. The notification submitted by the Permittee does not require certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAM not later than forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAM, if the source submits to IDEM, OAM, a reasonable written explanation not later than five (5) days prior to the end of the initial forty-five (45) day period.

Compliance Requirements [326 IAC 2-1.1-11]

C.9 Compliance Requirements [326 IAC 2-1.1-11]

The commissioner may require stack testing, monitoring, or reporting at any time to assure compliance with all applicable requirements. Any monitoring or testing shall be performed in accordance with 326 IAC 3 or other methods approved by the commissioner or the U. S. EPA.

Compliance Monitoring Requirements [326 IAC 2-8-4] [326 IAC 2-8-5(a)(1)]

C.10 Compliance Monitoring [326 IAC 2-8-4(3)] [326 IAC 2-8-5(a)(1)]

Unless otherwise specified in this permit, all monitoring and record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance. If required by Section D, the Permittee shall be responsible for installing any necessary equipment and initiating any required monitoring related to that equipment. If due to circumstances beyond its control, that equipment cannot be installed and operated within ninety (90) days, the Permittee may extend the compliance schedule related to the equipment for an additional ninety (90) days provided the Permittee notifies:

Indiana Department of Environmental Management
Compliance Data Section, Office of Air Management
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

in writing, prior to the end of the initial ninety (90) day compliance schedule with full justification of the reasons for inability to meet this date.

The notification which shall be submitted by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

Unless otherwise specified in the approval for the new emission units, compliance monitoring for new emission units or emission units added through a permit revision shall be implemented when operation begins.

C.11 Maintenance of Emission Monitoring Equipment [326 IAC 2-8-4(3)(A)(iii)]

- (a) In the event that a breakdown of the emission monitoring equipment occurs, a record shall be made of the times and reasons of the breakdown and efforts made to correct the problem. To the extent practicable, supplemental or intermittent monitoring of the parameter should be implemented at intervals no less frequent than required in Section D of this permit until such time as the monitoring equipment is back in operation. In the case of continuous monitoring, supplemental or intermittent monitoring of the parameter should be implemented at intervals no less often than once an hour until such time as the continuous monitor is back in operation.
- (b) The Permittee shall install, calibrate, quality assure, maintain, and operate all necessary monitors and related equipment. In addition, prompt corrective action shall be initiated whenever indicated.

C.12 Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]

Any monitoring or testing performed required by Section D of this permit shall be performed according to the provisions of 326 IAC 3, 40 CFR 60, Appendix A, 40 CFR 60 Appendix B, 40 CFR 63 or other approved methods as specified in this permit.

C.13 Risk Management Plan [326 IAC 2-8-4] [40 CFR 68.215]

If a regulated substance, subject to 40 CFR 68, is present at a source in more than a threshold quantity, 40 CFR 68 is an applicable requirement and the Permittee shall submit:

- (a) A compliance schedule for meeting the requirements of 40 CFR 68 by the date provided in 40 CFR 68.10(a); or
- (b) As a part of the annual compliance certification submitted under 326 IAC 2-7-6(5), a certification statement that the source is in compliance with all the requirements of 40 CFR 68, including the registration and submission of a Risk Management Plan (RMP).

All documents submitted pursuant to this condition shall include the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

C.14 Compliance Monitoring Plan - Failure to Take Response Steps [326 IAC 2-8-4] [326 IAC 2-8-5]

- (a) The Permittee is required to implement a compliance monitoring plan to ensure that reasonable information is available to evaluate its continuous compliance with applicable requirements. The compliance monitoring plan can be either an entirely new document, consist in whole of information contained in other documents, or consist of a combination of new information and information contained in other documents. If the compliance monitoring plan incorporates by reference information contained in other documents, the Permittee shall identify as part of the compliance monitoring plan the documents in which the information is found. The elements of the compliance monitoring plan are:
 - (1) This condition;
 - (2) The Compliance Determination Requirements in Section D of this permit;
 - (3) The Compliance Monitoring Requirements in Section D of this permit;
 - (4) The Record Keeping and Reporting Requirements in Section C (Monitoring Data Availability, General Record Keeping Requirements, and General Reporting Requirements) and in Section D of this permit; and
 - (5) A Compliance Response Plan (CRP) for each compliance monitoring condition of this permit. CRP's shall be submitted to IDEM, OAM upon request and shall be subject to review and approval by IDEM, OAM. The CRP shall be prepared within ninety (90) days after issuance of this permit by the Permittee and maintained on site, and is comprised of:
 - (A) Reasonable response steps that may be implemented in the event that compliance related information indicates that a response step is needed pursuant to the requirements of Section D of this permit; and
 - (B) A time schedule for taking reasonable response steps including a schedule for devising additional response steps for situations that may not have been predicted.
- (b) For each compliance monitoring condition of this permit, reasonable response steps shall be taken when indicated by the provisions of that compliance monitoring condition. Failure to take reasonable response steps may constitute a violation of the permit.
- (c) Upon investigation of a compliance monitoring excursion, the Permittee is excused from taking further response steps for any of the following reasons:
 - (1) A false reading occurs due to the malfunction of the monitoring equipment. This shall be an excuse from taking further response steps providing that prompt action was taken to correct the monitoring equipment.
 - (2) The Permittee has determined that the compliance monitoring parameters established in the permit conditions are technically inappropriate, has previously submitted a request for an administrative amendment to the permit, and such request has not been denied;
 - (3) An automatic measurement was taken when the process was not operating;

- (4) The process has already returned or is returning to operating within “normal” parameters and no response steps are required.
- (d) Records shall be kept of all instances in which the compliance related information was not met and of all response steps taken. In the event of an emergency, the provisions of 326 IAC 2-7-16 (Emergency Provisions) requiring prompt corrective action to mitigate emissions shall prevail.
- (e) All monitoring required in Section D shall be performed at all times the equipment is operating. If monitoring is required by Section D and the equipment is not operating, then the Permittee may record the fact that the equipment is not operating or perform the required monitoring.
- (f) At its discretion, IDEM may excuse the Permittee’s failure to perform the monitoring and record keeping as required by Section D, if the Permittee provides adequate justification and documents that such failures do not exceed five percent (5%) of the operating time in any quarter. Temporary, unscheduled unavailability of qualified staff shall be considered a valid reason for failure to perform the monitoring or record keeping requirements in Section D.

C.15 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-8-4]
[326 IAC 2-8-5]

- (a) When the results of a stack test performed in conformance with Section C - Performance Testing, of this permit exceed the level specified in any condition of this permit, the Permittee shall take appropriate response actions. The Permittee shall submit a description of these response actions to IDEM, OAM, within thirty (30) days of receipt of the test results. The Permittee shall take appropriate action to minimize excess emissions from the affected facility while the response actions are being implemented.
- (b) A retest to demonstrate compliance shall be performed within one hundred twenty (120) days of receipt of the original test results. Should the Permittee demonstrate to IDEM, OAM that retesting in one-hundred and twenty (120) days is not practicable, IDEM, OAM may extend the retesting deadline.
- (c) IDEM, OAM reserves the authority to take any actions allowed under law in response to noncompliant stack tests.

The documents submitted pursuant to this condition do not require the certification by the “authorized individual” as defined by 326 IAC 2-1.1-1(1).

Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)]

C.16 Emission Statement [326 IAC 2-6] [326 IAC 2-8-4(3)]

- (a) The Permittee shall submit an annual emission statement certified pursuant to the requirements of 326 IAC 2-6. This annual statement must be received by April 15 of each year and must comply with the minimum requirements specified in 326 IAC 2-6-4. The submittal should cover the period defined in 326 IAC 2-6-2(8) (Emission Statement Operating Year). The annual statement must be submitted to:

Indiana Department of Environmental Management
Technical Support and Modeling Section, Office of Air Management
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

The emission statement does require the certification by the “authorized individual” as

defined by 326 IAC 2-1.1-1(1).

- (b) The annual emission statement required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAM, on or before the date it is due.

C.17 General Record Keeping Requirements [326 IAC 2-8-4(3)] [326 IAC 2-8-5]

- (a) Records of all required data, reports and support information shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be kept at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.
- (b) Unless otherwise specified in this permit, all record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance.

C.18 General Reporting Requirements [326 IAC 2-8-4(3)(C)] [326 IAC 2-1.1-11]

- (a) The source shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent. Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported. This report shall be submitted within thirty (30) days of the end of the reporting period.

The Quarterly Deviation and Compliance Monitoring Report shall include the certification by the "responsible official" as defined by 326 IAC 2-1.1-1(1)..
- (b) The report required in (a) of this condition and reports required by conditions in Section D of this permit shall be submitted to:

Indiana Department of Environmental Management
Compliance Data Section, Office of Air Management
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015
- (c) Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAM, on or before the date it is due.
- (d) Unless otherwise specified in this permit, any quarterly report shall be submitted within thirty (30) days of the end of the reporting period. The reports do not require the certification by the "responsible official" as defined by 326 IAC 2-1.1-1(1).
- (e) The first report shall cover the period commencing on the date of issuance of this permit and ending on the last day of the reporting period. Reporting periods are based on calendar years.

C.19 Compliance with 40 CFR 82 and 326 IAC 22-1

Pursuant to 40 CFR 82 (Protection of Stratospheric Ozone), Subpart F, except as provided for motor vehicle air conditioners in Subpart B, the Permittee shall comply with the standards for recycling and emissions reduction:

- (a) Persons opening appliances for maintenance, service, repair or disposal must comply with the required practices pursuant to 40 CFR 82.156
- (b) Equipment used during the maintenance, service, repair or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR 82.158.
- (c) Persons performing maintenance, service, repair or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.

SECTION D.1

FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-8-4(10)]:

- (a) Air/fluid separator, where vapors separated off influent fluid stream is controlled by a catalytic oxidizer (CATOX), stack ID CAT.
- (b) Air stripper, where the groundwater exiting the oil/water separator is pumped for Volatile Organic Compounds (VOC) removal, with a water flow rate of 25 gallons per minute.

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

Emission Limitations and Standards [326 IAC 2-8-4(1)]

D.1.1 Volatile Organic Compounds (VOC) [326 IAC 2-8], [326 IAC 2-3]

- (a) Pursuant to 326 IAC 2-8, the following facilities shall be limited as follows:

Facility/Process	Exhaust Gas Concentration Limit Before Control
SVE -Soil Vapor Extraction System	109 milligrams per liter (mg/l)

This exhaust gas concentration limit shall result in the potential to emit of VOC to 20.5 tons per 12 consecutive month period, rolled on a monthly basis.

- (b) Any change or exceedance in the exhaust gas concentration of 63,841 micrograms per liter (Fg/liter), which is equivalent to 3.5 tons per year from the air stripper based on the results of the initial concentration test required in Condition D.1.5 shall require revision of this FESOP.
- (c) Compliance with Condition (a) and (b) of this condition together with the operation of the catalytic oxidizer at an overall efficiency of 98% (percent) shall make 326 IAC 2-7 (Part 70 Permit), 326 IAC 2-3 (Emission Offset) rules not applicable.

D.1.2 Hazardous Air Pollutants (HAPs) [326 IAC 2-8]

- (a) Pursuant to 326 IAC 2-8, the worst single HAP concentration before control, which in this case is Benzene shall be limited to 47.8 mg/l. This limit is required to limit the potential to emit of single HAP to less than 10 tons per 12 consecutive month period, rolled on a monthly basis. Compliance with this limit together with the operation of the catalytic oxidizer at an overall efficiency of 98% (percent) shall make 326 IAC 2-7 (Part 70 Permit) and 326 IAC 2-4.1-1 (New Source Toxics Control) not applicable.
- (b) Compliance with the VOC limit of 20.5 tons per 12 consecutive month period, rolled on a monthly basis in Condition D.1.1(a) and the VOC limit in Condition D.1.1(b), shall also limit the combined HAPs limit, since HAPs are components of the VOC, thus rendering 326 IAC 2-7 (Part 70 Permit) and 326 IAC 2-4.1-1 (New Source Toxics Control) not applicable.

D.1.3 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

A Preventive Maintenance Plan, in accordance with Section B - Preventive Maintenance Plan, of this permit, is required for this facility and the catalytic oxidizer.

Compliance Determination Requirements

D.1.4 Catalytic Oxidizer

The catalytic oxidizer shall be in operation at all times the SVE-Air/Fluid Separator is in operation.

D.1.5 Testing Requirements [326 IAC 2-8-5(a)(1), (4)] [326 IAC 2-1.1-11]

- (a) Compliance tests shall be performed within 30 days after achieving maximum production rate but no later than 90 days after initial start-up. The tests shall include initial vapor concentration from the SVE system, and Air Stripper. The worst single HAP (Benzene) concentration shall also be determined. The vapor and worst HAP (Benzene) concentration tests shall be made once monthly, in lieu of a continuous concentration meter. Only one time concentration test shall be required from the Air Stripper.
- (b) Compliance stack test shall also be determined on the SVE system catalytic oxidizer to verify the minimum catalyst temperature of 700 °F that will achieve an overall control of 98%. The catalytic oxidizer test shall be repeated at least once every five (5) years.
- (c) The compliance tests in sections (a) and (b) of this condition shall be according to the provisions of 326 IAC 3-6 (Source Sampling Procedure) using the methods specified in the rule or as approved by the Commissioner. The Office of Air Management (OAM) and Northwest Indiana Office shall be notified of the actual test date at least two (2) weeks prior to the date, a test protocol shall be submitted to the OAM, Compliance Data Section and the Northwest Indiana Office, 35 days in advance of the test, and all test reports must be received by the OAM and Northwest Indiana Office within 45 days of completion of the testing, pursuant to that rule.

Compliance Monitoring Requirements [326 IAC 2-8-4] [326 IAC 2-8-5(a)(1)]

D.1.6 Catalytic Oxidizer Operating Parameters

The catalytic oxidizer shall maintain a minimum catalyst temperature of 700 °F or a minimum temperature determined in the most recent compliance tests to maintain at least 98% destruction of the vapor collected, that is necessary to achieve compliance with the VOC and HAP emission limits in Conditions D.1.1 and D.1.2. The operating temperature of the catalyst of the catalytic oxidizer shall be continuously monitored and recorded whenever it is operating.

Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)] [326 IAC 2-8-16]

D.1.7 Record Keeping Requirements

- (a) To document compliance with Conditions D.1.1 and D.1.2, the Permittee shall maintain records in accordance with (1) and (2) below. Records maintained for (1) and (2) shall be sufficient to establish compliance with the VOC and HAP emission limits established in Conditions D.1.1 and D.1.2.
 - (1) A log of the vapor and HAP concentration test results from the SVE System made monthly.
 - (2) Continuous recorder operating temperature readings from the catalytic oxidizer.

- (b) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

D.1.8 Reporting Requirements

A quarterly summary of the information to document compliance with Conditions D.1.1 and D.1.2 shall be submitted to the addresses) listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does not require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR MANAGEMENT
COMPLIANCE DATA SECTION**

**FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)
CERTIFICATION**

Source Name: TransMontaigne Pipeline, Inc.
Source Address: SE 1/4, Section 12, Township 35N, Range 15E, Dyer, Indiana
Mailing Address: 2 North College Avenue, Fayetteville, Arkansas 72702
NSR/FESOP No.: 089-12853-00001

This certification shall be included when submitting monitoring, testing reports/results or other documents as required by this permit.

Please check what document is being certified:

- 9 Annual Compliance Certification Letter
- 9 Test Result (specify) _____
- 9 Report (specify) _____
- 9 Notification (specify) _____
- 9 Affidavit (specify) _____
- 9 Other (specify) _____

I certify that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

Signature:

Printed Name:

Title/Position:

Date:

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR MANAGEMENT
COMPLIANCE DATA SECTION
P.O. Box 6015
100 North Senate Avenue
Indianapolis, Indiana 46206-6015
Phone: 317-233-5674
Fax: 317-233-5967**

**FEDERALLY ENFORCEABLE STATE OPERATING PERMIT
EMERGENCY OCCURRENCE REPORT**

Source Name: TransMontaigne Pipeline, Inc.
Source Address: SE 1/4, Section 12, Township 35N, Range 15E, Dyer, Indiana
Mailing Address: 2 North College Avenue, Fayetteville, Arkansas 72702
NSR/FESOP No.: 089-12853-00001

This form consists of 2 pages

Page 1 of 2

- 9** This is an emergency as defined in 326 IAC 2-7-1(12)
CThe Permittee must notify the Office of Air Management (OAM), within four (4) business hours (1-800-451-6027 or 317-233-5674, ask for Compliance Section); and
CThe Permittee must submit notice in writing or by facsimile within two (2) days (Facsimile Number: 317-233-5967), and follow the other requirements of 326 IAC 2-7-16.

If any of the following are not applicable, mark N/A

Facility/Equipment/Operation:

Control Equipment:

Permit Condition or Operation Limitation in Permit:

Description of the Emergency:

Describe the cause of the Emergency:

If any of the following are not applicable, mark N/A

Page 2 of 2

Date/Time Emergency started:
Date/Time Emergency was corrected:
Was the facility being properly operated at the time of the emergency? Y N Describe:
Type of Pollutants Emitted: TSP, PM-10, SO ₂ , VOC, NO _x , CO, Pb, other:
Estimated amount of pollutant(s) emitted during emergency:
Describe the steps taken to mitigate the problem:
Describe the corrective actions/response steps taken:
Describe the measures taken to minimize emissions:
If applicable, describe the reasons why continued operation of the facilities are necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw materials of substantial economic value:

Form Completed by: _____

Title / Position: _____

Date: _____

Phone: _____

A certification is not required for this report.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR MANAGEMENT
COMPLIANCE DATA SECTION**

FESOP Quarterly Report

Source Name: TransMontaigne Pipeline, Inc.
Source Address: SE 1/4, Section 12, Township 35N, Range 15E, Dyer, Indiana
Mailing Address: 2 North College Avenue, Fayetteville, Arkansas 72702
NSR/FESOP No.: 089-12853-00001
Limits:

Facility/Process	Exhaust Gas Concentration Limit Before Control	Single HAP (Benzene) Concentration Before Control
SVE System	109 milligrams per liter (mg/l)	47.8 milligrams per liter (mg/l)

The above limit is required to limit the potential to emit of VOC to less than 20.5 tons per 12 consecutive month period, rolled on a monthly basis.

YEAR:

Month	Column 1		Column 2		Average Column 1 & Column 2	
	SVE System Exhaust Gas Concentration Before Control This Month	SVE System Benzene Concentration Before Control This Month	SVE System Exhaust Gas Concentration Before Control Past 11 Months	SVE System Benzene Concentration Before Control Past 11 Months	SVE System Exhaust Gas Concentration Before Control 12 Month Total	SVE System Benzene Concentration Before Control 12 Month Total
Month 1						
Month 2						
Month 3						

9 No deviation occurred in this quarter.

9 Deviation/s occurred in this quarter.
Deviation has been reported on: _____

Submitted by: _____
Title / Position: _____
Signature: _____
Date: _____
Phone: _____

A certification is not required for this report

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR MANAGEMENT
COMPLIANCE DATA SECTION**

**FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)
QUARTERLY DEVIATION AND COMPLIANCE MONITORING REPORT**

Source Name: TransMontaigne Pipeline, Inc.
Source Address: SE 1/4, Section 12, Township 35N, Range 15E, Dyer, Indiana
Mailing Address: 2 North College Avenue, Fayetteville, Arkansas 72702
NSR/FESOP No.: 089-12853-00001

Months: _____ to _____ Year: _____

Page 1 of 2

This report is an affirmation that the source has met all the requirements stated in this permit. This report shall be submitted quarterly based on a calendar year. Any deviation from the requirements, the date(s) of each deviation, the probable cause of the deviation, and the response steps taken must be reported. Deviations that are required to be reported by an applicable requirement shall be reported according to the schedule stated in the applicable requirement and do not need to be included in this report. Additional pages may be attached if necessary. If no deviations occurred, please specify in the box marked "No deviations occurred this reporting period".

9 NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.

9 THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD

Permit Requirement (specify permit condition #)

Date of Deviation:

Duration of Deviation:

Number of Deviations:

Probable Cause of Deviation:

Response Steps Taken:

Permit Requirement (specify permit condition #)

Date of Deviation:

Duration of Deviation:

Number of Deviations:

Probable Cause of Deviation:

Response Steps Taken:

Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	

Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	

Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	

Form Completed By: _____

Title/Position: _____

Date: _____

Phone: _____

Attach a signed certification to complete this report.

Indiana Department of Environmental Management
Office of Air Management

Addendum to the
Technical Support Document for a New Source Review and a Federally Enforceable
State Operating Permit (FESOP)

TransMontaigne Pipeline, Inc.
SE 1/4, Section 12, Township 35N, Range 15E
Dyer, Indiana

NSR/F-089-12853-00001

On November 28, 2000, the Office of Air Management (OAM) had a notice published in the Post Tribune, Merrillville, Indiana, stating that TransMontaigne Pipeline, Inc. had applied for a New Source Review and a Federally Enforceable State Operating Permit (FESOP) to construct and operate a groundwater remediation and a product recovery system with a catalytic oxidizer to control the VOC and HAP emissions. The notice also stated that OAM proposed to issue a permit for this operation and provided information on how the public could review the proposed permit and other documentation. Finally, the notice informed interested parties that there was a period of thirty (30) days to provide comments on whether or not this permit should be issued as proposed.

Upon further review, the OAM has decided to make the following revisions to the permit (changes and additions are bolded and deletions are struck through for emphasis). The Table Of Contents has been modified to reflect these changes.

The expiration date has been added to the signature box as follows:

Operation Permit No.: NSR/FESOP 089-12853-00001	
Issued by: Paul Dubenetzky, Branch Chief Office of Air Management	Issuance Date: Expiration Date:

Section A

1. A.1 (General Information), IDEM, OAM will no longer include the phone number of the contact person, because it is cumbersome to do an administrative amendment every time the source changes the number.

A.1 General Information [326 IAC 2-8-3(b)]

The Permittee owns and operates a stationary groundwater remediation and product recovery system, which has a recovery flow rate of 20 gallons per minute (gpm), and a maximum air flow rate of 1200 actual cubic feet per minute (acfm). The system will include the following equipment:

Authorized individual:	William W. Grygar II
Source Address:	SE 1/4, Section 12, Township 35N, Range 15E, Dyer, Indiana
Mailing Address:	2 North College Avenue, Fayetteville, Arkansas 72702

Phone Number: ~~(501) 521-5565~~
Source Location Status: Lake County
County Status: Ozone - Severe nonattainment
SO₂ - An area bounded on the north by Lake Michigan, on the west by the Indiana-Illinois State line, on the south by U.S. 30 from the State line to the intersection of I-65 then following I-65 to the intersection of I-94 then following I-94 to the Lake-Porter County line, & on the east by the Lake-Porter County line is nonattainment and the remainder of Lake County is attainment.

CO - ~~Part of City of East Chicago (area bounded by Columbus Drive on the north, the Indiana Harbor Canal on the west, 148th St. if extended, on the south and Euclid Ave. on the east is nonattainment. Attainment~~

Source Status: Federally Enforceable State Operating Permit (FESOP)
Minor Source, under PSD or Emission Offset Rules;
Minor Source, Section 112 of the Clean Air Act

Section B

1. The following condition which was inadvertently excluded in the draft FESOP was added in the final FESOP:

B.1 Permit No Defense [IC 13]

Indiana statutes from IC 13 and rules from 326 IAC, quoted in conditions in this permit, are those applicable at the time the permit was issued. The issuance or possession of this permit shall not alone constitute a defense against an alleged violation of any law, regulation or standard, except for the requirement to obtain a FESOP under 326 IAC 2-8.

Subsequent conditions in the draft FESOP were re-numbered accordingly.

2. B.2 (Permit Term) in the draft FESOP was revised and the bolded language has been added to clarify that amendments, revisions or modifications do not extend the expiration date of the permit. The expiration date will always be 5 years from the issuance date of the original permit. The expiration date will now be typed in the signature box as well.

B.2 3 Permit Term [326 IAC 2-8-4(2)]

This permit is issued for a fixed term of five (5) years from the **effective original** date, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. **Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date.**

3. B.7 (Duty to Supplement and Provide Information) condition in the draft FESOP has been reworded to match the language in the rule.

B.7 8 Duty to Supplement and Provide Information [326 IAC 2-8-3(f)] [326 IAC 2-8-4(5)(E)] [326 IAC 2-8-5(a)(4)]

-
- (a) The Permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to:

Indiana Department of Environmental Management
Permits Branch, Office of Air Management
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

The submittal by the Permittee does require the certification by the “authorized individual” as defined by 326 IAC 2-1.1-1(1).

- (b) The Permittee shall furnish to IDEM, OAM, within a reasonable time, any information that IDEM, OAM, may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The submittal by the Permittee does require the certification by the “authorized individual” as defined by 326 IAC 2-1.1-1(1). **Upon request, the Permittee shall also furnish to IDEM, OAM, copies of records required to be kept by this permit or, for information claimed to be confidential, the Permittee may furnish**

such records directly to the U. S. EPA along with a claim of confidentiality. [326 IAC 2-8-4(5)(E)]

- (c) ~~Upon request, the Permittee shall also furnish to IDEM, OAM, copies of records required to be kept by this permit. The Permittee may include a claim of confidentiality in accordance with 326 IAC 17. If requested by IDEM, OAM, or the U.S. EPA, to~~ **When** furnishing copies of requested records directly to U. S. EPA, ~~then the Permittee must furnish record directly to the U. S. EPA.~~ the Permittee may assert a claim of confidentiality in accordance with 40 CFR 2, Subpart B.
4. B.9 (Compliance with Permit Conditions) in the draft FESOP. Condition (c) has been added to clarify that an emergency does constitute a defense in an enforcement action if the Permittee complies with the emergency procedures. In order to track the FESOP rules instead of the Title V rules, “constitutes a violation of the Clean Air Act and” has been removed from this condition.

B.910 Compliance with Permit Conditions [326 IAC 2-8-4(5)(A)] [326 IAC 2-8-4(5)(B)]

- (a) The Permittee must comply with all conditions of this permit. Noncompliance with any provisions of this permit, except those specifically designated as not federally enforceable, ~~constitutes a violation of the Clean Air Act and~~ is grounds for:
- (1) Enforcement action;
 - (2) Permit termination, revocation and reissuance, or modification; or
 - (3) Denial of a permit renewal application.
- (b) It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
- (c) **An emergency does constitute an affirmative defense in an enforcement action provided the Permittee complies with the applicable requirements set forth in condition B, Emergency Provisions.**
5. B.10 (Certification) (b) in the draft FESOP has been modified to clarify when a certification is needed.

B.4011 Certification [326 IAC 2-8-3(d)] [326 IAC 2-8-4(3)(C)(i)] [326 IAC 2-8-5(1)]

- (a)
- (b) One (1) certification shall be included, ~~on~~ **using** the attached Certification Form, with each submittal **requiring certification**.
6. B.11 (Annual Compliance Certification) paragraph (a) in the draft FESOP has been revised to clarify that the initial certification is from the date of issuance until Dec. 31.

B.4112 Annual Compliance Certification [326 IAC 2-8-5(a)(1)]

- (a) The Permittee shall annually submit a compliance certification report which addresses the status of the source’s compliance with the terms and conditions contained in this

permit, including emission limitations, standards, or work practices. **The initial certification shall cover the time period from the date of final permit issuance through December 31 of the same year. All subsequent** The certifications shall cover the time period from January 1 to December 31 of the previous year, and shall be submitted in letter form no later than April 15 of each year to:

Indiana Department of Environmental Management
Compliance Data Section, Office of Air Management
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015

and

**United States Environmental Protection Agency, Region V
Air and Radiation Division, Air Enforcement Branch - Indiana (AE-17J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590**

7. B.12 (Preventive Maintenance Plan) of the draft FESOP - the record keeping requirements have been added to this condition.

B.42 13 Preventive Maintenance Plan [326 IAC 1-6-3] [326 IAC 2-8-4(9)] [326 IAC 2-8-5(a)(1)]

- (a) If required by specific condition(s) in Section D of this permit, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMPs) within ninety (90) days after issuance of this permit, including the following information on each facility:

- (1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;
- (2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and
- (3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.

If, due to circumstances beyond ~~it's~~ **the Permittee's** control, the PMPs cannot be prepared and maintained within the above time frame, the Permittee may extend the date an additional ninety (90) days provided the Permittee notifies:

Indiana Department of Environmental Management
Compliance Branch, Office of Air Management
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015

The PMP and the PMP extension notification do not require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (b) The Permittee shall implement the PMPs as necessary to ensure that failure to implement a PMP does not cause or contribute to a violation of any limitation on

emissions or potential to emit.

- (c) A copy of the PMPs shall be submitted to IDEM, OAM, upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAM. IDEM, OAM, may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or contributes to any violation. The PMP does not require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (d) **Records of preventive maintenance shall be retained for a period of at least five (5) years. These records shall be kept at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.**

8. B.13 (Emergency Provisions) of the draft FESOP - The Northwest Regional Office was added in (b)(4) to be notified during the period of an emergency.

B.13-14 Emergency Provisions [326 IAC 2-8-12]

- (a) An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation, except as provided in 326 IAC 2-8-12.
- (b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a health-based or technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describe the following:
 - (1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;
 - (2) The permitted facility was at the time being properly operated;
 - (3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;
 - (4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAM, **and Northwest Regional Office** within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

Telephone Number: 1-800-451-6027 (ask for Office of Air Management,
Compliance Section), or

Telephone Number: 317-233-5674 (ask for Compliance Section)

Facsimile Number: 317-233-5967

Telephone Number: 1-888-209-8892 Northwest Regional Office

Facsimile Number: 812-881-6745

Failure to notify IDEM, OAM **and the Northwest Regional Office** by telephone or facsimile within four (4) daytime business hours after the beginning of the emergency, or after the emergency is discovered or reasonably should have been discovered, shall constitute a violation of 326 IAC 2-8 and any other applicable rules. [326 IAC 2-8-12(f)]

- (5) For each emergency lasting one (1) hour or more, the Permittee submitted the attached Emergency Occurrence Report Form or its equivalent, either by mail or facsimile to:

Indiana Department of Environmental Management
Compliance Branch, Office of Air Management
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015

within two (2) working days of the time when emission limitations were exceeded due to the emergency.

The notice fulfills the requirement of 326 IAC 2-8-4(3)(C)(ii) and must contain the following:

- (A) A description of the emergency;
- (B) Any steps taken to mitigate the emissions; and
- (C) Corrective actions taken.

The notification which shall be submitted by the Permittee does not require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (6) The Permittee immediately took all reasonable steps to correct the emergency.
- (c) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.
- (d) This emergency provision supersedes 326 IAC 1-6 (Malfunctions) ~~for sources subject to this rule after the effective date of this rule.~~ This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.
- (e)
- (f)
- (g)
9. B.14 (Deviations from Permit Requirements and Conditions) of the draft FESOP - Compliance

Branch has been changed to Compliance Data Section

B.1415 Deviations from Permit Requirements and Conditions [326 IAC 2-8-4(3)(C)(ii)]

- (a) Deviations from any permit requirements (for emergencies see Section B - Emergency Provisions), the probable cause of such deviations, and any response steps or preventive measures taken shall be reported to:

Indiana Department of Environmental Management
Compliance ~~Branch~~ **Data Section**, Office of Air Management
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015
.....

10. B.17 (Permit Amendment or Revision) of the draft FESOP - 326 IAC 2-7-4(f) requires all applications to be certified by the responsible official, therefore this condition has been revised to clarify that. EPA has also requested this change.

B.4718 Permit Amendment or Revision [326 IAC 2-8-10] [326 IAC 2-8-11.1]

- (a) Permit amendments and revisions are governed by the requirements of 326 IAC 2-8-10 or 326 IAC 2-8-11.1 whenever the Permittee seeks to amend or modify this permit.

- (b) Any application requesting an amendment or modification of this permit shall be submitted to:

Indiana Department of Environmental Management
Permits Branch, Office of Air Management
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

Any such application should be certified by the "authorized individual" as defined by 326 IAC 2-1.1-1(1). ~~only if a certification is required by the terms of the applicable rule.~~

- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-8-10(b)(3)]

11. B.19 (Source Modification Requirement) of the draft FESOP - 326 IAC 2 has been added to make the condition more complete. The language "applicable provisions" has been removed because it is unnecessary.

B.49 20 Permit Revision Requirement [326 IAC 2-8-11.1]

A modification, construction, or reconstruction is governed by ~~the applicable provisions of 326 IAC 2 and~~ 326 IAC 2-8-11.1.

12. B.20 (Inspection and Entry) "At reasonable times" has not been deleted because unlike the Title V rules the FESOP rules does state this.

B.21 Inspection and Entry [326 IAC 2-8-5(a)(2)] **[IC 13-14-2-2]**

Upon presentation of proper identification cards, credentials, and other documents as may be required by law, and subject to the Permittee's right under all applicable laws and regulations to

assert that the information collected by the agency is confidential and entitled to be treated as such, the Permittee shall allow IDEM, OAM, U.S. EPA, or an authorized representative to perform the following:

- (a) Enter upon the Permittee's premises where a Part 70 source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- (b)
- (c)
- (d)
- (e) Utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.
~~[326 IAC 2-8-5(a)(4)]~~

13. B.23 (Annual Fee Payment) - the following rule cite was added to paragraph (a).

B.23 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-8-4(6)] [326 IAC 2-8-16]

- (a) The Permittee shall pay annual fees to IDEM, OAM, within thirty (30) calendar days of receipt of a billing. **Pursuant 326 IAC 2-7-19(b)**, if the Permittee does not receive a bill from IDEM, OAM, the applicable fee is due April 1 of each year.
- (b) Except as provided in 326 IAC 2-7-19(e), failure to pay may result in administrative enforcement action or revocation of this permit.
- (c) The Permittee may call the following telephone numbers: 1-800-451-6027 or 317-233-0425 (ask for OAM, Technical Support and Modeling Section), to determine the appropriate permit fee.

Section C

1. Condition C.6 of the draft FESOP has been revised as follows:

C.6 Operation of Equipment [326 IAC 2-8-5(a)(4)]

Except as otherwise provided **by statute, rule, or** in this permit, all air pollution control equipment listed in this permit and used to comply with an applicable requirement shall be operated at all times that the emission units vented to the control equipment is in operation.

2. C.7 (Asbestos Abatement Projects) - the rule cite in the title was changed to make it more generalized.

C.7 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] ~~[40 CFR 61.140]~~ **[40 CFR 61, Subpart M]**

3. C.8 (Performance Testing) "within" has been changed to "not later than".

C.8 Performance Testing [326 IAC 3-6]

(a)

(b)

(c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAM ~~within~~ **not later than** forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAM, if the source submits to IDEM, OAM, a reasonable written explanation ~~within~~ **not later than** five (5) days prior to the end of the initial forty-five (45) day period.

4. C.10 (Compliance Monitoring) there are times when compliance monitoring is required by a MACT that the source does not have to comply with yet. Therefore, language has been added to clarify that the permit will specify when CM doesn't have to start in 90 days. The same idea applies to new units, if the MACT doesn't apply yet, we would not expect the source to start compliance monitoring.

C.10 Compliance Monitoring [326 IAC 2-8-4(3)] [326 IAC 2-8-5(a)(1)]

Unless otherwise specified in this permit, all monitoring and record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance. If required by Section D, the Permittee shall be responsible for installing any necessary equipment and initiating any required monitoring related to that equipment. If due to circumstances beyond its control, that equipment cannot be installed and operated within ninety (90) days, the Permittee may extend the compliance schedule related to the equipment for an additional ninety (90) days provided the Permittee notifies:

Indiana Department of Environmental Management
Compliance Branch, Office of Air Management
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015

in writing, prior to the end of the initial ninety (90) day compliance schedule, with full justification of the reasons for the inability to meet this date.

The notification which shall be submitted by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

Unless otherwise specified in the approval for the new emission units, compliance monitoring for new emission units or emission units added through a source modification shall be implemented when operation begins.

5. C.11 (Maintenance of Emission Monitoring Equipment) the language has been tweaked to clarify the intent.

C.11 Maintenance of Emission Monitoring Equipment [326 IAC 2-8-4(3)(A)(iii)]

- (a) In the event that a breakdown of the emission monitoring equipment occurs, a record shall be made of the times and reasons of the breakdown and efforts made to correct the problem. To the extent practicable, supplemental or intermittent monitoring of the parameter should be implemented at intervals no less frequent than required in Section D of this permit until such time as the monitoring equipment is back in operation. In the case of continuous monitoring, supplemental or intermittent monitoring of the parameter should be implemented at intervals no less **often than once an (1) hour** ~~(this time frame is determined on a case by case basis)~~ until such time as the continuous monitor is back in operation.

6. C.12 (Monitoring Methods) the following rule cites have been added.

C.12 Monitoring Methods [326 IAC 3] **[40 CFR 60] [40 CFR 63]**

Any monitoring or testing required by Section D of this permit shall be performed according to the provisions of 326 IAC 3, 40 CFR 60, Appendix A, **40 CFR 60 Appendix B, 40 CFR 63**, or other approved methods as specified in this permit.

7. C.14 (Compliance Monitoring Plan - Failure to Take Response Steps) little grammatical changes were made. (a) "of" was added. (c) ";or" has been replaced with a period. (f) "(5%)" has been added to be consistent with the rest of the permit. Also, changes were made to (a)(5) and (f) due to frequently asked questions.

C.14 Compliance Monitoring Plan - Failure to Take Response Steps [326 IAC 2-8-4] [326 IAC 2-8-5]

- (a) The Permittee is required to implement a compliance monitoring plan to ensure that reasonable information is available to evaluate its continuous compliance with applicable requirements. The compliance monitoring plan can be either an entirely new document, consist in whole **of** information contained in other documents, or consist of a combination of new information and information contained in other documents. If the compliance monitoring plan incorporates by reference information contained in other documents, the Permittee shall identify as part of the compliance monitoring plan the documents in which the information is found. The elements of the compliance monitoring plan are:

- (1) This condition;
- (2) The Compliance Determination Requirements in Section D of this permit;

- (3) The Compliance Monitoring Requirements in Section D of this permit;
- (4) The Record Keeping and Reporting Requirements in Section C (Monitoring Data Availability, General Record Keeping Requirements, and General Reporting Requirements) and in Section D of this permit; and
- (5) A Compliance Response Plan (CRP) for each compliance monitoring condition of this permit. CRP's shall be submitted to IDEM, OAM upon request and shall be subject to review and approval by IDEM, OAM. The CRP shall be prepared within ninety (90) days after issuance of this permit by the Permittee and maintained on site, and is comprised of:
 - (A) Reasonable response steps that may be implemented in the event that compliance related information indicates that a response step is needed pursuant to the requirements of Section D of this permit; and
 - (B) A time schedule for taking reasonable response steps including a schedule for devising additional response steps for situations that may not have been predicted.
- (b) For each compliance monitoring condition of this permit, reasonable response steps shall be taken when indicated by the provisions of that compliance monitoring condition. Failure to take reasonable response steps ~~shall~~ **may** constitute a violation of the permit.
- (c) Upon investigation of a compliance monitoring excursion, the Permittee is excused from taking further response steps for any of the following reasons:
 - (1) A false reading occurs due to the malfunction of the monitoring equipment. This shall be an excuse from taking further response steps providing that prompt action was taken to correct the monitoring equipment.
 - (2) The Permittee has determined that the compliance monitoring parameters established in the permit conditions are technically inappropriate, has previously submitted a request for an administrative amendment to the permit, and such request has not been denied.~~;~~~~or~~
 - (3) An automatic measurement was taken when the process was not operating.~~;~~~~or~~
 - (4) The process has already returned or is returning to operating within "normal" parameters and no response steps are required.
- (d) Records shall be kept of all instances in which the compliance related information was not met and of all response steps taken. In the event of an emergency, the provisions of 326 IAC 2-7-16 (Emergency Provisions) requiring prompt corrective action to mitigate emissions shall prevail.
- (e) All monitoring required in Section D shall be performed at all times the equipment is operating. If monitoring is required by Section D and the equipment is not operating, then the Permittee may record the fact that the equipment is not operating or perform the required monitoring.

- (f) ~~If for reasons beyond its control, the Permittee fails to perform the monitoring and record keeping as required by Section D, then the reasons for this must be recorded.~~
- (1) ~~At its discretion, IDEM may excuse the Permittee's failure to perform the monitoring and record keeping as required by Section D, if the Permittee provides such failure providing adequate justification is documented and documents that such failures do not exceed five percent (5%) of the operating time in any quarter.~~
- (2) Temporary, unscheduled unavailability of qualified staff shall be considered a valid reason for failure to perform the monitoring or record keeping requirements in Section D.
8. C.15 (Actions Related to Noncompliance Demonstrated by a Stack Test) "corrective actions" has been changed to "response actions" to be consistent with the rest of the permit.
- C.15 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-8-4]
[326 IAC 8-5]
-
- (a) When the results of a stack test performed in conformance with Section C - Performance Testing, of this permit exceed the level specified in any condition of this permit, the Permittee shall take appropriate ~~corrective~~ **response** actions. The Permittee shall submit a description of these ~~corrective~~ **response** actions to IDEM, OAM, within thirty (30) days of receipt of the test results. The Permittee shall take appropriate action to minimize excess emissions from the affected facility while the ~~corrective~~ **response** actions are being implemented.
9. C.17 (General Record Keeping Requirements) "monitoring" was removed so that the condition will seem more generalized to all record keeping, "reports" was added to clarify that the source must keep copies of those as well. (b) and (c) have been removed because they were unnecessary.
- C.17 General Record Keeping Requirements [326 IAC 2-8-4] [326 IAC 2-8-5]
-
- (a) Records of all required ~~monitoring~~ data, **reports** and support information shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be kept at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.
- ~~(b) Records of required monitoring information shall include, where applicable:~~
- ~~(1) The date, place, and time of sampling or measurements;~~
- ~~(2) The dates analyses were performed;~~
- ~~(3) The company or entity performing the analyses;~~
- ~~(4) The analytic techniques or methods used;~~

- ~~(5) The results of such analyses; and~~
- ~~(6) The operating conditions existing at the time of sampling or measurement.~~
- ~~(c) Support information shall include, where applicable:~~
- ~~(1) Copies of all reports required by this permit;~~
- ~~2. All original strip chart recordings for continuous monitoring instrumentation;~~
- ~~(3) All calibration and maintenance records;~~
- ~~(4) Records of preventive maintenance.~~

~~(d)~~**(b) Unless otherwise specified in this permit**, all record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance.

Section D.1

1. Conditions D.1.1 and D.1.2 were revised to clarify that the limits required by this condition are before the catalytic oxidizer. These changes were also reflected in the Reporting Form Page 30 of 32 of the draft FESOP. Revision is as follows:

D.1.1 Volatile Organic Compounds (VOC) [326 IAC 2-8], [326 IAC 2-3]

- (a) Pursuant to 326 IAC 2-8, the following facilities shall be limited as follows:

Facility/Process	Exhaust Gas Concentration Limit Before Control
SVE -Soil Vapor Extraction System	109 milligrams per liter (mg/l)

This exhaust gas concentration limit shall result in the potential to emit of VOC to 20.5 tons per 12 consecutive month period, rolled on a monthly basis.

- (b) Any change or exceedance in the exhaust gas concentration of 63,841 micrograms per liter (Fg/liter), which is equivalent to 3.5 tons per year from the air stripper based on the results of the initial concentration test required in Condition D.1.5 shall require revision of this FESOP.
- (c) Compliance with Condition (a) and (b) of this condition together with the operation of the catalytic oxidizer at an overall efficiency of 98% (percent) shall make 326 IAC 2-7 (Part 70 Permit), 326 IAC 2-3 (Emission Offset) rules not applicable.

D.1.2 Hazardous Air Pollutants (HAPs) [326 IAC 2-8]

- (a) Pursuant to 326 IAC 2-8, the worst single HAP concentration **before control**, which in this case is Benzene shall be limited to 47.8 mg/l. This limit is required to limit the

potential to emit of single HAP to less than 10 tons per 12 consecutive month period, rolled on a monthly basis. Compliance with this limit together with the operation of the catalytic oxidizer at an overall efficiency of 98% (percent) shall make 326 IAC 2-7 (Part 70 Permit) and 326 IAC 2-4.1-1 (New Source Toxics Control) not applicable.

- (b) Compliance with the VOC limit of 20.5 tons per 12 consecutive month period, rolled on a monthly basis in Condition D.1.1(a) and the VOC limit in Condition D.1.1(b), shall also limit the combined HAPs limit, since HAPs are components of the VOC, thus rendering 326 IAC 2-7 (Part 70 Permit) and 326 IAC 2-4.1-1 (New Source Toxics Control) not applicable.

Indiana Department of Environmental Management Office of Air Management

Technical Support Document (TSD) for a New Source Review (NSR) and Federally Enforceable State Operating Permit (FESOP)

Source Background and Description

Source Name: TransMontaigne Pipeline, Inc.
Source Location: SE1/4, Section 12, Township 35N, Range 15E, Dyer, Indiana
County: Lake
NSR/FESOP: 089-12853-00001
Permit Reviewer: Aida De Guzman

The Office of Air Management (OAM) has reviewed an application from TransMontaigne Pipeline, Inc. relating to the operation of a groundwater remediation and product recovery system, which has a recovery flow rate of 20 gallons per minute (gpm), and a maximum air flow rate of 1200 actual cubic feet per minute (acfm). The system will include the following equipment:

- (a) Air/fluid separator where vapors separated off influent fluid stream is controlled by a catalytic oxidizer (CATOX), stack ID CAT.
- (b) Air stripper, where the groundwater exiting the oil/water separator is pumped for Volatile Organic Compounds (VOC) removal, with a water flow rate of 25 gallons per minute (gpm). The VOC emitted from this process is not ducted through the catalytic oxidizer.

Insignificant Activities

The source also consists of the following insignificant activities, as defined in 326 IAC 2-7-1(21):

- (a) One (1) aboveground storage tank (PST), which has a capacity of 5182 gallons. This is where the product recovered is stored for transport to TransMontaigne Pipeline for reuse.
- (b) Oil/water separator (OWS), which has a capacity of 574 gallons. This process involves further separation of the recovered fluid (water and product).
- (c) Equalization tank (EQT), which has a capacity of 147 gallons. Tank control surge from the oil/water separator to the air stripper.
- (d) CATOX natural gas fired burner, with a capacity of 0.75 million British Thermal Units per hour (mmBtu/hr). This burner is used to heat up the catalyst in the catalytic oxidizer.

Recommendation

The staff recommends to the Commissioner that the construction and operation be approved. This recommendation is based on the following facts and conditions:

Unless otherwise stated, information used in this review was derived from the application and additional information submitted by the applicant.

An administratively complete application for the purposes of this review was received on September 27, 2000, with additional application received on November 15, 2000.

Emission Calculations

- (a) Storage Tank (PST) Emissions: See Tanks Program 3 for detailed calculations
This tank will be used to store recovered product.
- (b) Oil/Water Separator (OWS) Emissions: See Tanks Program 3 for detailed calculations
The separator further separates recovered fluid (water and product).
- (c) Equalization Tank (EQT) Emissions: See Tanks Program 3 for detailed calculations
Tank control surge from the oil/water separator to the air stripper.
- (d) Groundwater Remediation:
The proposed remediation program includes installation and operation of a fluid extraction system design to recover free product. VOC emissions depend upon the petroleum contamination present in the groundwater. The VOC emissions will emanate from two points in the treatment process as a result of the fluid extraction process. The first discharge stream will consist of vapors that are separated from the fluid stream at the high efficiency air/fluid separator (knock out tank). These vapors will be discharged through a vertical stack for destruction by a thermal catalytic oxidizer (CATOX)(Stack ID: CAT).

The second point of vapor emission is from the air stripper that will be treating groundwater exiting oil/water separator. The VOC emissions from this process is not controlled by the thermal catalytic oxidizer.

TransMontaigne Pipeline, Inc. expects that the remediation of the area will be completed in five years. Analytical data obtained during pilot testing was used for the emission estimates. Although, this is a not a continuous process the potential to emit (PTE) will be based on 8760 hours per year.

Parameters:

SVE- Soil Vapor Extraction Design Air Flow Rate	-	574 standards cubic feet per minute (scfm)
CATOX Destruction Efficiency	-	98%
Air Stripper Design Air Flow Rate	-	180 cubic feet/min (cfm)
Air Stripper Design Water Flow Rate	-	25 gal/min (gpm)

SVE System Emissions					Air Stripper Emissions					
Pollutant	Initial Concentration (mg/liter)	Emissions (lbs/day)	Emissions Before Control (tons/year)	Emissions After Control (tons/year)	Initial Concentration (Fg/liter)	Emissions (lbs/day)	Emissions Before Control (tons/year)	Emissions After Control (tons/year)	Total Emissions Before Control (tons/year)	Total Emissions After Control (tons/year)
VOC	41	2115.9	386.0	7.7	21745	7.0	1.3	1.3	387.3	9.0
Benzene	2	103.2	18.8	0.3	6085	2.0	0.35	0.35	19.15	0.65
Toluene	1.1	56.8	10.4	0.21	9500	3.0	0.54	0.54	11.04	0.75
Ethyl Benzene	0.029	1.5	0.27	0.0	1200	0.0	0.0	0.0	0.27	0.0
Xylene	0.244	12.6	2.3	0.05	4960	0.2	0.2	0.2	2.5	0.25

SVE Emissions, tons/yr = concentration, mg/l * design air flow rate, cfm * 28.32 l/cuft * lb/453,592.4 mg * 60 min/hr * 8760 hrs/yr

Air Stripper Emissions, tons/yr = influent concentration, Fg/liter - effluent concentration, Fg/liter * 3.785 l/gal * water flow rate, gpm * lb/453,592,400 Fg * 60 min/hr * 8760 hrs/yr

Potential To Emit (Before Controls)

Pursuant to 326 IAC 2-1.1-1(16), Potential to Emit is defined as “the maximum capacity of a stationary source to emit any air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of a source to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or type or amount of material combusted, stored, or processed shall be treated as part of its design if the limitation is enforceable by the U. S. EPA.”

This table reflects the PTE before controls. Control equipment is not considered federally enforceable until it has been required in a federally enforceable permit.

Pollutant	Potential To Emit (tons/year)
PM	0.0
PM-10	0.0
SO ₂	0.0
VOC	387.3
CO	0.3
NO _x	0.3

Note: For the purpose of determining Title V applicability for particulates, PM-10, not PM, is the regulated pollutant in consideration.

HAP's	Potential To Emit (tons/year)
Benzene	19.15
Toluene	11.04

Ethyl Benzene	0.27
Xylene	2.5
Single Worst HAP	19.15
Total Combined HAP	32.96

Justification for Level of Approval

This is a proposed source which has a potential to emit (PTE) volatile organic compounds at levels greater than 25 tons per year. The single HAP and combined HAPs emissions are emitted at levels greater than 10 tons per year and 25 tons per year respectively. Therefore, it is subject to 326 IAC 2-7, Part 70 permit. The source however, chose to operate under 326 IAC 2-8, Federally Enforceable State Operating Permit.

Potential to Emit After Issuance

The table below summarizes the potential to emit, reflecting all limits, of the significant emission units after controls.

Process/facility	Limited Potential to Emit (tons/year)						
	PM	PM-10	SO ₂	VOC	CO	NO _x	Combined HAPs
Groundwater Remediation:							
1. SVE System	0.0	0.0	0.0	20.5	0.0	0.0	8.2
2. Air Stripper	0.0	0.0	0.0	3.5	0.0	0.0	15.8
Total Emissions	0.0	0.0	0.0	24.0	0.0	0.0	24.0

Limit = $\frac{\text{facility after control emissions} * \text{limit, 24 tons/yr}}{\text{Total source after control}}$

Limitations:

(a) Soil Vapor Extraction System (SVE):

VOC Limit After Control = 20.5 tons/year after control

VOC limit, tons/yr before control = $20.5 \text{ tons/yr} / \frac{(100-98)}{100}$
= 1025 tons/yr

Exhaust Gas Concentration Limit = $1025 \text{ tons/yr} * 2000 \text{ lb/ton} * \text{yr}/8760 \text{ hrs} * \text{hr}/60 \text{ min}$
 $* 453,592.4 \text{ mg/lb} * \text{cuft}/28.32 \text{ liters}$
 $* \text{min}/574 \text{ cuft}$
= 109 mg/liter

Benzene Limit After Control = 9 tons/year after control (worst single HAP emitted)
Benzene Limit before control = $9 \text{ ton/yr} / \frac{(100-98)}{100}$
= 450 tons/yr

Benzene Concentration Limit = $450 \text{ tons/yr} * 2000 \text{ lb/ton} * \text{yr}/8760 \text{ hrs} * \text{hr}/60 \text{ min}$
 $* 453,592.4 \text{ mg/lb} * \text{cuft}/28.32 \text{ liters}$
 $* \text{min}/574 \text{ cuft}$

= 47.8 mg/liter

(b) Air Stripper:

VOC Limit = 3.5 tons/yr after control

Exhaust Gas = 3.5 tons/yr * 2000 lb/ton * yr/8760 hrs * hr/60 min
Concentration Limit * 453,592,400 Fg/lb * min/25 gal
* gal/3.785 liters
= 63,841 Fg/liter

Note: The air stripper VOC emissions was accounted for in the overall 24 tons per year. Since the air stripper VOC emission is not significant it will just be discounted from the 24 tons per year, hence reporting on its VOC emissions will not be necessary. Initial concentration testing however, will be necessary to verify its emissions.

The Single worst HAP emitted from the air stripper were already accounted for in the Benzene (worst HAP) limit. Compliance with the VOC emissions limit and its equivalent gas concentration will also make the source comply with the combined HAPs emissions limit, because the HAPs are components of the VOC.

County Attainment Status

The source is located in Lake County.

Pollutant	Status (attainment or unclassifiable/ severe, moderate, marginal, or maintenance nonattainment)
PM-10	moderate nonattainment
SO ₂	An area bounded on the north by Lake Michigan, on the west by the Indiana-Illinois State line, on the south by U.S. 30 from the State line to the intersection of I-65 then following I-65 to the intersection of I-94 then following I-94 to the Lake-Porter County line, & on the east by the Lake-Porter County line is nonattainment and the remainder of Lake County is attainment.
Ozone	Severe
CO	Part of City of East Chicago (area bounded by Columbus Drive on the north, the Indiana Harbor Canal on the west, 148 th St. if extended, on the south and Euclid Ave. on the east is nonattainment.

- (a) Volatile organic compounds (VOC) and oxides of nitrogen (Nox) are precursors for the formation of ozone. Therefore, VOC and NO_x emissions are considered when evaluating the rule applicability relating to the ozone standards. Lake County has been designated as severe nonattainment for ozone.

Federal Rule Applicability

- (a) New Source Performance Standards (NSPS):

- (1) 40 CFR Part 60, Subpart Kb - Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which

Construction, reconstruction, or Modification Commenced After July 23, 1984. This NSPS applies to each storage vessel with a capacity greater than or equal to 40 cubic meters (10,567 gallons) that is used to store volatile organic liquids (VOL's).

The one (1) aboveground storage tank, identified as PST, is not subject to this NSPS because its capacity (5182 gallons) is less than 10,567 gallons.

- (2) Oil/water separator (OWS) and equalization tank (EQT) are not subject to the NSPS because these tanks are process tanks, and not storage tanks.
- (3) There are no other New Source Performance Standards (NSPS)(326 IAC 12 and 40 CFR Part 60) applicable to this source.
- (b) National Emission Standards for Hazardous Air Pollutants (NESHAPs):
There are no National Emission Standards for Hazardous Air Pollutants (NESHAPs)(326 IAC 14 and 40 CFR Part 63) applicable to this source.

State Rule Applicability -

- (a) 326 IAC 2-6 (Emission Reporting)
This source is located in Lake County and the potential to emit VOC is greater than ten (10) tons per year. Therefore, 326 IAC 2-6 does apply. The annual statement must be received by April 15 of each year and contain the minimum requirement as specified in 326 IAC 2-6-4. The submittal should cover the period defined in 326 IAC 2-6-2(8) (Emission Statement Operating Year).
- (b) 326 IAC 2-3 (Emission Offset Rule Requirements)
The source VOC emission is limited, together with the use of the catalytic oxidizer in order to restrict the VOC emissions below 25 tons per year, thus rendering 326 IAC 2-3 requirements not applicable. This also makes 326 IAC 2-7 Part 70 permit not applicable.
- (c) 326 IAC 8 (Volatile Organic Sources)
There are no provisions under Article 8 that will apply to this groundwater remediation source, because it does not fit any of the sources categories in the rule.
- (d) 326 IAC 8-1-6 (General reduction Requirements)
This rule applies to new facilities as of January 1, 1980 which have potential VOC emissions of 25 tons per year which are not otherwise regulated by other provisions of Article 326 IAC 8. The groundwater remediation facility is subject to this rule because it's potential VOC emission (387.3 tons/year) is greater than 25 tons per year. This facility's VOC emission is controlled by a catalytic oxidizer with a control efficiency of 98%, hence this rule is satisfied.
- (e) 326 IAC 2-4.1-1 (New Source Toxics Control)
This rule applies to sources who construct or reconstruct a major source of hazardous air pollutants (HAPs) after July 27, 1997. The groundwater remediation system is subject to this rule because it is a major source of HAPs. The source's HAPs emissions are controlled by a catalytic oxidizer with a control efficiency of 98%, hence this rule is satisfied.

Compliance Requirements

Permits issued under 326 IAC 2-8 are required to ensure that sources can demonstrate compliance with applicable state and federal rules on a more or less continuous basis. All state and federal rules contain compliance provisions, however, these provisions do not always fulfill

the requirement for a more or less continuous demonstration. When this occurs IDEM, OAM, in conjunction with the source, must develop specific conditions to satisfy 326 IAC 2-8-4. As a result, compliance requirements are divided into two sections: Compliance Determination Requirements and Compliance Monitoring Requirements.

Compliance Determination Requirements in Section D of the permit are those conditions that are found more or less directly within state and federal rules and the violation of which serves as grounds for enforcement action. If these conditions are not sufficient to demonstrate continuous compliance, they will be supplemented with Compliance Monitoring Requirements, also Section D of the permit. Unlike Compliance Determination Requirements, failure to meet Compliance Monitoring conditions would serve as a trigger for corrective actions and not grounds for enforcement action. However, a violation in relation to a compliance monitoring condition will arise through a source's failure to take the appropriate corrective actions within a specific time period.

The compliance monitoring requirements applicable to this source are as follows:

1. The Catalytic oxidizer that controls the VOC from the SVE system has applicable compliance monitoring conditions as specified below:
 - (a) A compliance testing will be required for the SVE system, to verify the initial vapor concentration. Since this is a ground water remediation, vapor concentration would be at the highest level during the initial clean-up. A decline rate in the concentration would occur as remediation continues, and therefore would not require a vapor concentration meter to continuously demonstrate compliance with the limits. The initial vapor concentration limit, however will be measured and verified through compliance testing once a month.

The air stripper vapor concentration will be verified through a one time testing, since its emission is not significant.

In conjunction with the compliance testing the catalytic oxidizer minimum catalyst temperature of 700 °F, destruction 98% and collection efficiency of 100% will be verified.

These monitoring conditions are necessary in order that 326 IAC 2-3, Emission Offset rule requirements and 326 IAC 2-7, Part 70 permit will not be applicable.

Conclusion

The operation of this groundwater remediation system shall be subject to the conditions of the attached **NSR/FESOP 089-12853-00001**.